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 FM AMEMBASSY TEL AVIV
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 2588
 INFO RUEHAM/AMEMBASSY AMMAN 8271
 RUQMBE/AMEMBASSY BEIRUT 2519
 RUEHEG/AMEMBASSY CAIRO 1078
 RUEHDM/AMEMBASSY DAMASCUS 5715
 RUEHJM/AMCONSUL JERUSALEM 3173
 RUEHJI/AMEMBASSY JIDDA 4456
 RUQMYA/USLO RIYADH 1396
 RUEHOT/USMISSION USUN NEW YORK 0136
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EXDIS

E.O. 12065: RDS-4 1/25/02 (LEWIS, SAMUEL W.) UR-M
 TAGS: PEPR, SY, US, XF
 SUBJECT: CODEL PERCY: ASSAD'S COMMENTS ON 242 AND 338

REF: DAMASCUS 00476

1. CONFIDENTIAL - ENTIRE TEXT.

2. WE HAVE NOTED WITH INTEREST ASSAD'S COMMENTS
 (PARA 7, REFTEL) ON THE SYRIAN POSITION WITH RESPECT
 TO SECURITY COUNCIL RESOLUTIONS 242 AND 338. WE HAVE
 PARTICULARLY NOTICED ASSAD'S INTERPRETATION THAT 242
 WAS OVERTAKEN AND SUBSUMED WITHIN 228, WHICH, ACCORDING
 TO ASSAD, SYRIA RECOGNIZED ON THE FOLLOWING

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STATE

82 7874172 SCO

PAGE 002

NC 7874172

TOR: 252207Z JAN 82

CONDITIONS: "338 MEANT TOTAL ISRAELI WITHDRAWAL FROM THE TERRITORIES OCCUPIED IN 1967 AND ACKNOWLEDGING THE RIGHTS OF THE PALESTINIANS."

3. WHILE THIS INTERPRETATION REPRESENTS AN AUTHORITATIVE SYRIAN VIEW OF 338, WE WOULD POINT OUT THAT ARTICLES 2 AND 3 OF SC RESOLUTION STATE:

QUOTE 2. CALLS UPON THE PARTIES CONCERNED TO START IMMEDIATELY AFTER THE CEASE-FIRE THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 242 (1967) IN ALL ITS PARTS; UNQUOTE

QUOTE 3. DECIDES THAT, IMMEDIATELY AND CONCURRENTLY WITH THE CEASE-FIRE, NEGOTIATIONS SHALL START BETWEEN THE PARTIES CONCERNED UNDER APPROPRIATE AUSPICES AIMED AT ESTABLISHING A JUST AND DURABLE PEACE IN THE MIDDLE EAST. UNQUOTE.

4. IN SUM, ASSAD HAS MANAGED TO TURN BOTH 242 AND 338 UPSIDE DOWN, SINCE IN NEITHER RESOLUTION IS ANY REFERENCE MADE TO TOTAL ISRAELI WITHDRAWAL FROM THE 1967 OCCUPIED TERRITORIES OR TO THE RIGHTS OF THE PALESTINIANS. WE DOUBT THEREFORE IF A SYRIAN CLARIFICATION OF ITS POSITION WITH RESPECT TO 242 IN THE MANNER OUTLINED TO SENATOR PERCY WOULD DO MUCH TO FACILITATE THE PEACE PROCESS. LEWIS

END OF MESSAGE

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